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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO-OAKLAND DIVISION**

20 DAVID M. CATHCART, JAMES H.
21 WHITEHEAD, ROBERT W. DECKER,
22 DALE BALDISSERI, individually, and
23 on behalf of all others similarly situated,

24 Plaintiffs,

25 v.

26 SARA LEE CORPORATION, SARA
27 LEE BAKERY GROUP,
28 EARTHGRAINS BAKING
COMPANIES, INC. (formerly sued as
DOE 1) and Does 2 through 20,

Defendants.

Case No. C 09-5748 MMC

**JOINT STIPULATION RE:
RESCHEDULING OF
PRELIMINARY APPROVAL
MOTION FILING DEADLINE**

AND ORDER THEREON

STIPULATION

Plaintiffs David M. Cathcart, James H. Whitehead, Robert W. Decker, and Dale Baldissseri (“Plaintiffs”) and Defendants Sara Lee Corporation, Sara Lee Bakery Group, and Earthgrains Baking Companies, Inc. (“Defendants”) (collectively, the “Parties”), by and through their respective counsel, respectfully submit this Stipulation asking the Court for *a short one (1) week of continuance* of the deadline to file Plaintiffs’ forthcoming Motion for Preliminary Approval papers in support of the Parties’ proposed class and collective action settlement (“Settlement”).

On May 31, 2012, the Parties reached a settlement of the class and collective claims asserted by Plaintiffs in this action, executed a Memorandum of Understanding memorializing the Settlement, and are executing a formal Stipulation of Settlement. At the Parties’ stipulated joint request, and to accommodate a scheduling conflict affecting Defendants’ counsel, the Court re-scheduled the hearing on Plaintiffs’ Motion for Preliminary Approval of the proposed Settlement from July 27, 2012 to August 3, 2012. [Dkt. No. 120]. While the Parties are working diligently to finalize all the Preliminary Approval papers, both Parties would benefit from one additional week in order to allow submission of the most accurate data, agreed upon documents, and fulsome briefing for consideration to the Court. Given that the Court already approved a one week continuance of the Preliminary Approval Hearing, the Parties respectfully request that the Court likewise continue the filing deadline from June 22, 2012 by one week, until June 29, 2012.

1 In compliance with General Order No. 45 (X), as filing party, Plaintiffs attest that
2 all signatories below concur in the filing of this document.
3

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5 DATED: June 19, 2012

MORGAN, LEWIS & BOCKIUS LLP

6 BY: /s/ Justin S. Brooks
7 Justin S. Brooks
8 Attorneys for Defendants

9 DATED: June 19, 2012

SPIRO MOORE LLP


10 BY: /s/ Jennifer L. Connor
11 Jennifer L. Connor
12 Attorneys for Plaintiffs
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~~PROPOSED~~ ORDER

The Court hereby continues the filing deadline set for Plaintiffs' Motion for Preliminary Approval of the proposed class and collective action settlement from June 22, 2012 by one (1) week, to June 29, 2012; consistent with the previously granted one week continuance of the Preliminary Approval hearing date.

SO ORDERED.

Dated: June 20, 2012


MAXINE M. CHESNEY
United States District Judge